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PATREON, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

BRAYDEN STARK, JUDD OOSTYEN,
KEVIN BLACK, and MARYANN OWENS,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

PATREON, INC.,

Defendant.

Case No. 3:22-cv-03131-JCS

**DECLARATION OF FRED NORTON
IN SUPPORT OF STIPULATION TO
EXTEND THE TIME FOR
DEFENDANT TO FILE ITS REPLY IN
SUPPORT OF MOTION TO DISMISS**

1 I, Fred Norton, hereby declare:

2 1. I am a partner at The Norton Law Firm PC, and I am lead counsel for Defendant Patreon,
3 Inc. (“Defendant” or “Patreon”) in this case. This declaration is made in support of the concurrently
4 filed Stipulation for an Extension of Time for Patreon, Inc. to File Its Reply Brief In Support of its
5 Motion to Dismiss. I have personal knowledge of the facts set forth herein, and, if called upon to testify,
6 could and would testify competently thereto.

7 2. Plaintiffs Brayden Stark and Judd Oostyen (“Plaintiffs”), Patreon, and the United States
8 as intervenor have jointly stipulate and respectfully ask the Court to enter an order to extend the time for
9 Patreon to file its reply brief in support of its motion to dismiss (Dkt. 48) from its current due date of
10 January 13, 2023 for one week, to January 20, 2023.

11 3. Defendant Patreon requested this extension because I have been unavailable to devote the
12 necessary time to the reply brief on account of personal matters. Specifically, I was unexpectedly
13 unavailable for much of December as I tended to a family member in Georgia in hospice; that family
14 member passed away on December 21 and I was unavailable until December 28 while attending to
15 funeral matters. Shortly after returning to California, I contracted COVID-19 and had been unavailable
16 to make the necessary progress on the brief. Counsel for Plaintiffs and the United States as intervenor
17 have agreed to the requested extension.

18 4. The extension of time set forth above will affect the date for Patreon’s reply brief, but
19 will not alter the date of any other event or deadline already fixed by Court order.

20 5. The following scheduling modifications have occurred in this case:

- 21 ▪ Pursuant to stipulation, the Court extended Patreon’s time to respond to the
- 22 complaint, from June 21, 2022, to August 5, 2022 (*see* ECF No. 13).
- 23 ▪ Pursuant to stipulation, the Court extended the briefing schedule for Patreon’s motion
- 24 to dismiss the original Complaint (*see* ECF No. 26).
- 25 ▪ Pursuant to stipulation, the Court twice extended the time for the United States to
- 26 decide whether to intervene in this case for the purpose of defending the
- 27 constitutionality of the VPPA (*see* ECF No. 34 and 43).
- 28 ▪ Pursuant to stipulation, the Court extended the briefing schedule for Patreon’s motion

1 to dismiss the Second Amended Complaint, as follows: Plaintiffs' response deadline
2 was continued to December 21, 2022; Patreon's reply was continued to January 13,
3 2023; and the hearing on the Motion was continued to January 27, 2023.

4 I declare under the laws of the United States that the statements in this declaration are true and
5 correct to the best of my knowledge, and that this declaration was executed on January 10, 2023 in
6 Oakland, California.

7
8 Dated: January 10, 2023

By: /s/ Fred Norton
Fred Norton